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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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|---|---|
| CONTINENTAL CASUALTY COMPANY; ZURICH NORTH AMERICA INSURANCE COMPANY<br><br>Plaintiffs,<br>v.<br><br>UNITED RENTALS HIGHWAY TECHNOLOGIES, INC.; OLD REPUBLIC INSURANCE COMPANY; AMERICAN ALTERNATIVE INSURANCE COMPANY; ACE AMERICAN INSURANCE COMPANY; DOES 1 through 10, inclusive,<br><br>Defendants. | CASE NO. 2:09-cv-00300-RCJ-LRL<br><br>**STIPULATION AND ORDER TO DISMISS ALL CLAIMS WITHOUT PREJUDICE** |

Pursuant to Local Rule 7-1, Plaintiffs CONTINENTAL CASUALTY COMPANY and ZURICH NORTH AMERICA INSURANCE COMPANY, by and through their counsel of record hereby stipulate to dismiss their Complaint against all Defendants without prejudice, all parties agreeing to bear their own costs and attorney fees.

Pursuant to Local Rule 7-1 Defendant/Counterclaimant/Crossclaimant/Third Party Plaintiff AMERICAN ALTERNATIVE INSURANCE COMPANY hereby stipulates to dismiss its Counterclaims, Crossclaims and Third Party Complaint without

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prejudice, each party agreeing to bear their own costs and attorney fees.

CONTINENTAL CASUALTY COMPANY and ZURICH NORTH AMERICA INSURANCE COMPANY and AMERICAN ALTERNATIVE INSURANCE COMPANY hereby represent that Defendant ACE AMERICAN INSURANCE COMPANY has been voluntary dismissed from the instant case.

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CONTINENTAL CASUALTY COMPANY and ZURICH NORTH AMERICA INSURANCE COMPANY, and AMERICAN ALTERNATIVE INSURANCE COMPANY hereby represent that UNITED RENTALS HIGHWAY TECHNOLOGIES, INC., OLD REPUBLIC INSURANCE COMPANY, and WELLS CARGO, INC. have neither filed an Answer nor made an appearance in this case.

DATED this 15th day of June, 2009.

ATKIN WINNER & SHERROD

Trevor L. Atkin
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Attorneys for Plaintiffs
Continental Casualty Company and
Zurich North America Insurance Company

DATED this 10th day of June, 2009

WALSH & FURCOLO LLP

Julie F. Kruze
Nevada Bar Number 10914
1645 Village Center Circle, Suite 271
Las Vegas, NV 89134
Attorneys for American Alternative Insurance Corporation

IT IS SO ORDERED.

______________________________

UNITED STATES MAGISTRATE JUDGE

DATED:______________________

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CERTIFICATE OF SERVICE

I certify that on this_______ day of June, 2009, the foregoing **STIPULATION AND ORDER TO DISMISS ALL CLAIMS WITHOUT PREJUDICE** was served on the following by [ ] hand delivery [ ] overnight delivery [ ] fax [x] e-mail [ ] mailing by depositing with the U.S. mail in Las Vegas, Nevada, enclosed in a sealed envelope with first class postage prepaid, addressed as follows:

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